

DETAILED ACTION

This is the third office action for US Application 10/618,847 for a Multiuse Device Mounting System and Method. Claims 2-16, 18-31 and 40-43 are pending.

Drawings

The drawings were received on February 27, 2010. These drawings are approved.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 43 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 43 recites the limitation "coupled to one or more of a first end of said positioning means". However, the claim claims a plurality of positioning means, not one positioning means, and it is not clear how a means is coupled to one or more of a first end of a positioning means. The claim is being examined to the best extent possible.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3632

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 43 is rejected under 35 U.S.C. 102(e) as being anticipated by US 6,540,184 to Thaxton. Thaxton discloses a repositionable mounting system with a plurality of means (42) for repetitive positioning into a plurality of orientations by moving an assembly into a first particular orientation wherein said assembly retains said particular orientation until the assembly is moved into a second particular orientation. There is a means (36) coupled to one or more of a first end of the positioning means for engaging a first mating structure and means (40) coupled to the first plurality of repetitive positioning means and to the engaging means for repetitively reconfiguring the plurality of positioning means between a unitary mode and a multi-membered mode wherein the unitary mode combines two or more of the plurality of positioning means into a single positioning means and wherein the multi-membered mode separates said single positioning means into two or more of the plurality of positioning means (see col. 3, lines 32-49 which discusses how the legs can be doubled over, thus forming two different modes with the multi-legged mode being the doubled over mode and the unitary mode being the other mode).

Allowable Subject Matter

Claim 2-16, 18-31 and 40-42 are allowed. The following is an examiner's statement of reasons for allowance: The prior art does not disclose a mounting system with a plurality of members comprising flexible assemblies adapted to be repetitively positioned between a single flexible assembly with each of the plurality of members directly coupled each other and to a head.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments with respect to claim 43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3632

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN M. MARSH whose telephone number is (571)272-6819. The examiner can normally be reached on 8:30 am - 7:00 pm (Monday-Thursday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J Allen Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. M. M./
Examiner, Art Unit 3632
June 4, 2010

/Kimberly T. Wood/
Kimberly T. Wood
Primary Examiner
Art Unit 3632